



22W

Attorney Docket # 5482-2

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Yuen-Liang LAI et al.

Serial No.: 10/803,666

Filed: March 18, 2004

For: Use of Arsenic-Containing Pharmaceutical  
Composition in Combination with Radiation  
Therapy for Cancer Treatment

Examiner:

Group Art:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 7, 2005

(Date of Deposit)

Kent H. Cheng

Name of applicant, assignee or Registered Representative

Kent H. Cheng

Signature

September 7, 2005

Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

S I R:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO/SB/08a. Copies of the listed documents are also enclosed.

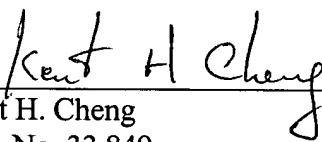
It is respectfully requested that the above information be considered by the Examiner and that the copy of the enclosed Form PTO/SB/08a be returned indicating that such information has been considered.

In accordance with 37 C.F.R §§1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or

that information cited is, or is considered to be, material to patentability as defined in §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserve(s) the right to prove that the date of publication is in fact different.

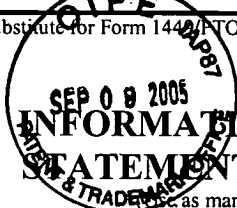
If any fees or charges are deemed required at this time in connection with the application, the same may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By:   
Kent H. Cheng  
Reg. No. 33,849  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: September 7, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for Form 1442 PTO  (attach as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/803,666
		Filing Date	March 18, 2004
		First Named Inventor	Yuen-Liang LAI
		Art Unit	
Examiner Name			
Attorney Docket Number		5482-2	
Sheet	1 of 2		

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind-Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind-Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for Form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Application Number	10/803,666
		Filing Date	March 18, 2004
		First Named Inventor	Yuen-Liang LAI
		Art Unit	
		Examiner Name	
Sheet 2 of 2	Attorney Docket Number	5482-2	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Chun Y J, et al., Enhancement of radiation response in human cervical cancer cells in vitro and in vivo by arsenic trioxide (As <sub>2</sub> O <sub>3</sub> ), <i>FEBS Letters</i> 519, pp. 195-200 (2002)	
		Murgo A.J., Clinical Trials of Arsenic Trioxide in Hematologic and Solid Tumors: Overview of the National Cancer Institute Cooperative Research and Development Studies, <i>The Oncologist</i> , 6 (suppl 2) pp. 22-28 (2001).	
		Wang Z. Y., Arsenic compounds as anticancer agents, <i>Cancer Chemother Pharmacol</i> , 48 (Suppl 1) S72-S76 (2001).	
		Jiang X. H., et al., Arsenic Trioxide Induces Apoptosis in Human Gastric Cancer Cells Through Up-Regulation of P53 and Activation of Caspase-3, <i>Int. J. Cancer</i> , Vol. 19, pp. 173-179 (2001).	
		Liu K. P., et al., Effect of Arsenic Trioxide on Human Hepatocellular Carcinoma HepG2 cells: Inhibition of Proliferation and Induction of Apoptosis, <i>Life Sciences</i> , Vol. 71 pp. 275-285 (2002).	
		Shao W., et al., Arsenic Trioxide as an Inducer of Apoptosis and Loss of PML/RAR $\alpha$ Protein in Acute Promyelocytic Leukemia Cells, <i>Journal of the National Cancer Institute</i> , Vol. 90, No. 2, (1998)	
		Bazarbachi A., et al., Treatment of Adult T-cell Leukaemia/Lymphoma: Current Strategy and Future Perspectives, <i>Virus Research</i> , Vol. 78, pp. 79-92 (2001).	
		Soignet S. L., et al., Complete Remission After Treatment of Acute Promyelocytic Leukemia with Arsenic Trioxide, <i>The New England Journal of Medicine</i> , Vol. 339 No. 19, pp. 1341-1348 (1998).	
		Cheng C. F., et al., <i>J. Intern Med.</i> , Taiwan, Vol. 14, pp. 31-36 (2003)	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.